

Appl. No. 10/606,319
Amend. Dated October 5, 2005
Reply to Office Action of July 5, 2005

REMARKS

Claims 1-3, 6, 7, 9, 12-15 and 30 are currently pending in the application. By this Amendment, Claims 1, 3, 6 and 14 are amended, Claim 2 is canceled without prejudice, and Claims 7, 9, 12, 13, 15 and 30 are unchanged. Reconsideration and reexamination of the pending claims are respectfully requested. No new matter is added by this Amendment.

Applicant respectfully submits that Claims 1 and 6 have been amended to correct minor typographical and/or grammatical errors. In Claim 1, the term "absorbs" is a typographical error and has been amended to read "adsorbs"; this amendment adds no new matter and is supported in the Specification (page 4, lines 5-6). Claim 6 has been amended to bring it into a proper Markush group format. Claim 2 has been canceled without prejudice since it is already a feature of Claim 1. Applicant respectfully directs the comments below to the rejection of the pending claims.

Claims 1-3, 6, 7, 9, 12-15 and 30 are rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-30 of U.S. Patent No. 6,593,400. Applicant has filed a terminal disclaimer in compliance with 37 CFR 1.321(c) to obviate the judicially created double patenting rejection.

Claims 1, 2, 14, 15, and 30 are rejected under 35 U.S.C. 102(e) as being anticipated by JP 10-237348 (JP '348) computer translation. Examiner states that JP '348 discloses anti-block compositions suitable for addition to polyolefins. Examiner additionally states that these compositions are taught as comprising silica with polysiloxane coatings. Examiner concludes that the reference anticipates the rejected claims. Applicant respectfully submits that Claim 1 of the present invention recites a method of producing an antiblock agent consisting essentially of effectively surface treating inorganic minerals with a silane to produce an antiblock agent that adsorbs substantially reduced process aids in a polyolefin film. In contrast to Claim 1 of the present invention, JP '348 discloses a method of surface treating spherical silica particles with polysiloxane.

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Applicant respectfully submits that silanes, having the structural formula SiR_4 , where R is a group capable of forming a covalent bond with silicon, and polysiloxanes, having the structural formula $[\text{Si-O-Si}]_n$, where n is the number of repeating units in the siloxane polymer, are chemically distinct, and as such, there is no teaching or suggestion in JP '348 to a method of producing a silane surface treated antiblock agent. Additionally, JP '348 discloses the use of spherical silica particles to produce an antiblock agent. Applicant respectfully submits that JP '348 does not teach or suggest the use of other inorganic minerals such as those recited in Claim 1 of the present invention.

Claim 2 of the present invention has been canceled without prejudice, thus obviating the rejection of Claim 2 based on JP '348. Claim 14 has been amended to obviate the rejection based on the teachings of JP '348 directed to the use of a polysiloxane surface treatment to produce an antiblock agent. Claim 15 of the present invention recites a method of producing plastic products comprising using the silane surface treated antiblock products made by the method of Claim 1 as a filler and polyolefin film additive. Applicant respectfully submits that JP '348 does not teach or suggest a method of producing plastic products comprising using silane surface treated antiblock products as a filler and polyolefin film additive. Claim 30 of the present invention recites a composition comprising an inorganic core component and a silane surface treating component to produce an antiblock agent that adsorbs substantially reduced process aids. Applicant respectfully submits that, because of the chemical differences and distinctions between silane of the present invention and polysiloxane of JP '348 as described above, and because of the differences in the inorganic core components recited in Claim 30 compared to the spherical silica particles of JP '348, there is no teaching or suggestion in JP '348 to the antiblock agent composition recited in Claim 30. Applicant respectfully submits that JP '348 does not anticipate the rejected claims of the present invention.

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CONCLUSION

In view of the foregoing, entry of the present Amendment and allowance of the application are respectfully requested. The undersigned is available for telephone consultation during normal business hours.

No extension fee is believed due for the filing of this response. Please charge the terminal disclaimer filing fee along with any additional fees that may be required to Minerals Technologies Inc. Deposit Account No. 13-3639.

Respectfully submitted,

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Date

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